

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 08-286841-6
Plaintiff,)
vs.) ORDER OF DETENTION
Cruz Soto)
Defendant.)

I

A. On motion of the Government in a case allegedly involving:

1. a crime of violence.
2. an offense with maximum sentence of life imprisonment or death.
3. a narcotics or controlled substance offense with maximum sentence of ten or more years.
4. a felony - where defendant convicted of two or more prior offenses described above.

B. () On motion () by the Government/ () on Court's own motion, in a case allegedly involving:

(1) On the further allegation by the Government of:

1. (X) a serious risk defendant will flee.

2. () a serious risk defendant will:

a. () obstruct or attempt to obstruct justice.

b. () threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

C. The Government (X is/ () is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure defendant's appearance as required and the safety of any person or the community.

11

15 The Court finds that no condition or combination of conditions
16 will reasonably assure:

1. (1) the appearance of defendant as required.

(✓) and/or

2. (✓) the safety of any person or the community.

III

The Court has considered:

A. the nature and circumstances of the offenses:

B. the weight of evidence against the defendant:

C. the history and characteristics of the defendant; and

D. the nature and seriousness of the danger to any person or the community.

IV

2 The Court has considered all the evidence adduced at the hearing
3 and the arguments and/or statements of counsel.

V

6 The Court bases the foregoing finding(s) on the following:

7 A. (✓ Flight risk: no signif cant bail motives; apparent
8 alien ation; no info re ties

10
11 B. (✓) Danger:

11 B. (✓) Danger: _____
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13 _____
14 _____

15 C. (X) See also Pretrial Services Report/recommendation.
16 D. (X) Defendant has not rebutted by sufficient evidence

17 the contrary the presumption provided by statute.

VII

20 A. The Court finds that a serious risk exists that defendant
21 will:

1. (—) obstruct or attempt to obstruct justice.

23 2. () threaten, injure or intimidate a witness/juror

24 3. () attempt to threaten, injure or intimidate a
25 witness/ juror.

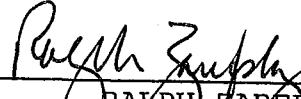
26 B. The Court bases the foregoing finding(s) on the following:

1 () See also Pretrial Services Report/recommendation.
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VI

4 A. IT IS THEREFORE ORDERED that defendant be detained prior to
5 trial.
6 B. IT IS FURTHER ORDERED that defendant be committed to the
7 custody of the Attorney General for confinement in a corrections
8 facility separate, to the extent practicable, from persons
9 awaiting or serving sentences or being held in custody pending
10 appeal.
11 C. IT IS FURTHER ORDERED that defendant be afforded reasonable
12 opportunity for private consultation with counsel.
13 D. IT IS FURTHER ORDERED that, on order of a Court of the
14 United States or on request of any attorney for the Government,
15 the person in charge of the corrections facility in which
16 defendant is confined deliver defendant to a United States
17 marshal for the purpose of an appearance in connection with a
18 court proceeding.

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20 Dated: 9/23/11

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23 RALPH ZAREBSKY
24 UNITED STATES MAGISTRATE JUDGE
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